

Brian S. Adler, Esq.

Tel 305.350.2351

Fax 305.351.2206

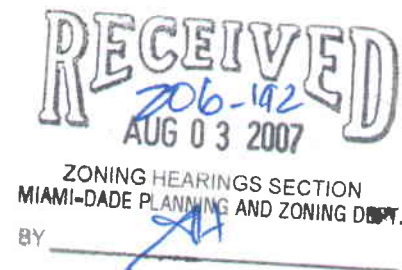
badler@bilzin.com

August 3, 2007

VIA HAND-DELIVERY

Mr. Subrata Basu, Interim Director
Miami-Dade County
Planning and Zoning Department
111 NW First Street, 11th Floor
Miami, Florida 33128

**Re: Liberty Station
Public Hearing Application # Z2006000192**



SECOND SUPPLEMENTAL LETTER OF INTENT

Dear Mr. Basu:

Please allow this letter to supplement, and where inconsistent, supersede our prior letters of intent in the above-referenced file.

Subsequent to the filing of the above Application, we met with the Department of Planning and Zoning (the "Department") in order to address any concerns the Department has regarding the Application.

In that regard, our client is modifying the site plan in order to eliminate the setback variance. Our client will meet the 20' rear setback as outlined under the Code. Therefore, we are withdrawing our request for a rear setback variance.

Additionally, our client is seeking a variance to waive the requirement for a masonry wall across the rear of the property. It is our understanding that many communities prefer landscaping as opposed to a wall. In order to address any visual impacts created by the absence of the wall, we propose a condition of the variance approval as follows:

In lieu of a wall, a black vinyl fence with a landscaped hedge, at a minimum of three feet at the time of planting to grow to a minimum of five feet at time of maturity, be planted along the rear property line.

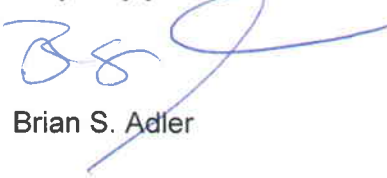
MIAMI 1380362.1 25794

Additionally, we also note that West Dixie Highway in this area is designated on the Comprehensive Development Master Plan as a major roadway, and is one of the more commercial roads within Miami-Dade County.

To the north of the property is the City of North Miami which designates a substantial portion of West Dixie Highway as C-3, the City's most intensive commercial district.

We hope the above addresses the concerns raised by the Department in connection with the Application. Based on the foregoing, along with the proposed modifications, we respectfully request the Department's favorable recommendation. Should you have any questions or require additional information, please do not hesitate to contact me at 305-350-2351.

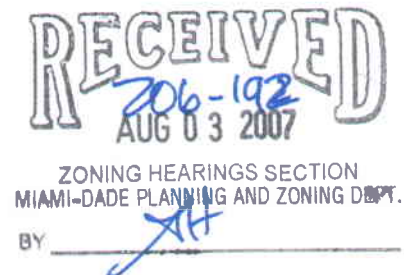
Very truly yours,



Brian S. Adler

BSA/mp

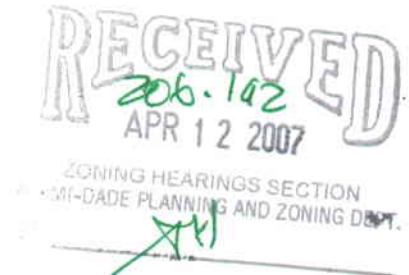
cc: Maria Teresa Fojo
Carl Harrison
Cassandra Henderson
Claudia Fontecilla



April 12, 2007

VIA HAND-DELIVERY

Ms. Cassandra Henderson
Zoning Hearings Section
Miami-Dade County Department of Planning and Zoning
111 N.W. 1st Street, 11th Floor
Miami, Florida 33128



**Re: Liberty Station, Inc.
Public Hearing Application # Z2006000192**

Dear Ms. Henderson:

**SUPPLEMENTAL
LETTER OF INTENT**

Please allow this letter to supplement, and where inconsistent, supercede our letter of intent dated July 5, 2006 for the above-referenced application.

In connection with the application, and in response to your letter dated April 4, 2007, I attach revised plans which address the Department's comments as follows:

1. Street Trees: The revised plans provide street trees at a minimum of 12 feet in height at time of planting.
2. Irrigation Notices: The Landscape Legend notes the irrigation notices.
3. Driveways: The modified landscape plans reflect that the trees do not encroach within ten feet on either side of the driveway.
4. Building Height: The building height has been corrected on sheet A-4A.
5. Rear setback: Please consider this our request for as non-use variance of the rear setback to allow a 17 foot setback where a 20 foot setback is required. The Property is separated from the residential community by a 12 foot alley. Therefore, the property is not backing up to other residences. Further, because the property is not serviced by public sewer, the location of the drainfield for the septic tank limits the location of the convenience store. Therefore, our client is requesting a variance to allow a 17 foot as opposed to 20 foot rear setback.

MIAMI 1298750.1 7368325794
4/12/07 3:13 PM

6. Rear Wall: Additionally, our client is requesting a variance to waive the 6 foot wall otherwise required along the east property line. Because the property is adjacent to an alley, and because the service station and convenience store activity is oriented toward the front rather than rear of the property, the rear is better buffered through an attractive landscape hedge as opposed to a 6 foot wall. The hedge would be more aesthetically pleasing than a wall and would create less of a visual impact on the adjacent properties. Therefore, our client is requesting a variance of the zoning regulations to waive the requirement of a wall and to allow a landscape buffer.

Should you have any questions regarding the attached or regarding the above request, please contact me at 305-350-2351.

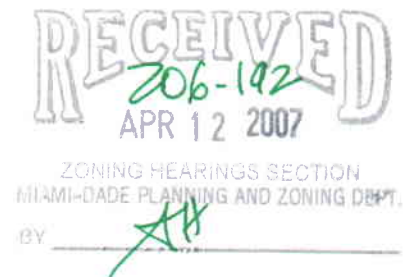
Sincerely,



Brian Adler

BSA/ka

Attachments

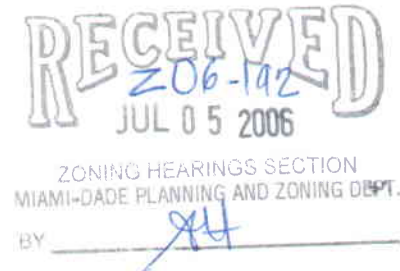


Brian S. Adler, P.A.
Direct Dial: 305/350-2351
Direct Fax: 305/351-2206
E-Mail: badler@bilzin.com

July 5, 2006

VIA HAND-DELIVERY

Diane O'Quinn Williams, Director
Department of Planning and Zoning
111 N.W. First Street, 11th Floor
Miami, FL 33128



Re: Liberty Station, Inc.
Rezoning and Site Plan Approval for Property located at SE side of West
Dixie Highway between NE 118th and NE 119th Terraces ("Property")

Dear Ms. O'Quinn Williams:

LETTER OF INTENT

Please accept this as our formal letter of intent to the attached application. This firm represents Liberty Station, Inc., the owner of the Property ("Applicant").

The Applicant seeks a district boundary change rezoning the Property from BU-1 to BU-1A and a non-use variance of zoning regulations to waive the requirement of a wall where a dedicated alley separates a business lot from a residential lot.

The application is consistent with the comprehensive plan and compatible with the surrounding area. The Property is located between NE 118 and NE 119 Terraces along West Dixie Highway, positioned a few blocks south of the Metropolitan Urban Center located at NE 6 Avenue and approximately NE 123 Street. The West Dixie Highway corridor in this area is designated Business and Office on the Future Land Use Map and primarily zoned for commercial uses with most properties containing a minimum classification of BU-1A. For example, to the northeast of the Property along West Dixie Highway are properties zoned BU-2 and BU-3 and developed with uses such as automotive repair shops. Property to the south is zoned BU-1A.

There is an alley along the rear of the Property that provides a separation between it and properties to the southeast. The applicant is not proposing to create openings for ingress and egress along the rear of the Property and is seeking approval to install a three foot landscape hedge in lieu of a wall. The proposed hedge will serve as both a visual and aesthetically pleasing buffer to the adjacent residential community. The property across from the rear of the subject Property is vacant and owned by the entity that sold the subject Property to the Applicant.

Diane O'Quinn Williams, Director
Department of Planning and Zoning
July 5, 2006
Page 2

The proposed application is consistent with the adjoining community, the Commercial Corridor of West Dixie Highway and the surrounding commercial adjacent uses. Based on the foregoing, we respectfully request the recommendation approval on our client's application to rezone the subject Property and for the variance to waive their wall requirement.

Thank you for your attention to the foregoing.

Very truly yours,



Brian S. Adler

BSA/ka
Attachments

RECEIVED
206-192
JUL 05 2006

ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.

BY 